

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CATALIN PAMFILE,

Plaintiff,

v.

TEXAS ATTORNEY GENERAL,

Defendant.

CASE NO. C18-0985-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on Magistrate Judge Mary Alice Theiler's recommendation that this Court review Plaintiff's complaint under 28 U.S.C. section 1915(e)(2)(B) prior to the issuance of a summons. (Dkt. No. 6 at 1.) Judge Theiler's recommendation follows her order finding that Plaintiff financially qualifies for *in forma pauperis* ("IFP") status. (*Id.*)

Pursuant to section 1915(e)(2)(B), the Court must dismiss an IFP complaint if the action fails to state a claim, raises frivolous or malicious claims, or seeks monetary relief from a defendant who is immune from such relief. Federal Rule of Civil Procedure 8 provides that in order to state a claim for relief, a pleading must contain short and plain statements of the grounds for a district court's jurisdiction and a claim showing entitlement to relief. Fed. R. Civ. P.

1 8(a)(2); *see McHenry v. Renne*, 84 F.3d 1172, 1180 (9th Cir. 1996) (at a minimum, a complaint
2 must put a defendant on notice of what wrongs it committed and the grounds for a district court's
3 jurisdiction). "[T]he pleading standard Rule 8 announces does not require 'detailed factual
4 allegations,' but it demands more than an unadorned, the-defendant-unlawfully-harmed-me
5 accusation." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (internal citation omitted). The
6 complaint must also put forth "a cognizable legal theory" for the relief sought. *Balistreri v.*
7 *Pacifica Police Dep't*, 901 F.2d 696, 699 (9th Cir. 1988).

8 In his complaint, Plaintiff alleges that the Texas Attorney General has "block[ed] my
9 passport." (Dkt. No. 1-1 at 5.) He seeks its release to "fix my health in Europe" and to "see my
10 family in Europe." (*Id.* at 3.) Plaintiff provides no further information on the nature of his
11 allegations, the basis of the Court's jurisdiction, or a legal theory supporting the relief he seeks.
12 (*See generally id.*) Instead, Plaintiff refers the Court to voluminous exhibits regarding Plaintiff's
13 child support obligations, his medical records, his allegations of inadequate medical care by
14 various actors, and his allegations of misdeeds by government actors including spying on its
15 citizens and intentional food poisoning. (*See generally* Dkt. Nos. 1-2, 1-3, 1-4, 1-5, 1-6, 1-7.)
16 Plaintiff's complaint, even when construed liberally, does not satisfy Rule 8's pleading
17 requirements. *See Hebbe v. Pliler*, 627 F.3d 338, 342 (9th Cir. 2010).

18 Accordingly, Plaintiff's complaint is DISMISSED. Because it is not "absolutely clear
19 that no amendment can cure [its] defects," the dismissal is without prejudice. *Lucas v. Dep't of*
20 *Corr.*, 66 F.3d 245, 248 (9th Cir. 1995). Plaintiff may file an amended complaint no later than
21 twenty-one (21) days from the date of this order. The Court will only order service if the
22 amended complaint meets Rule 8's requirements for a short and plain statement of the facts
23 supporting each claim against each named Defendant, a basis for this Court's jurisdiction, and a
24 cognizable legal theory for the relief Plaintiff seeks. The Clerk is DIRECTED to mail a copy of
25 this order to Plaintiff at 2404 Pine Street, Everett, WA, 98201. If no amended complaint is
26 received within twenty-one (21) days from the date of this order, the Clerk is DIRECTED to

1 close this case.

2 DATED this 17th day of July 2018.

3 William M. McCool
4 Clerk of Court

5 s/Tomas Hernandez
6 Deputy Clerk